

**THE PATENT OFFICE OF THE STATE INTELLECTUAL PROPERTY OFFICE
OF THE PEOPLE'S REPUBLIC OF CHINA**

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Shanghai Patent & Trademark Law Office

Date of Dispatch
December 28, 2007

Application No.: 200380110276.5	Applicant: LG ELECTRONICS INC.
Application Date: October 2, 2003	Agent:
Title: METHOD FOR PROCESSING CONNECTION REQUEST OF A DISK PLAYER	

**THE FIRST OFFICE ACTION
(PCT APPLICATION IN THE NATIONAL PHASE)**

1. ☒ According to the Request for Substantive Examination raised by the applicant and based on the provision of Item 1, Article 35 of the Patent Law, the Examiner has proceeded with the Examination as to Substance on the above mentioned application for patent for invention.
☐ According to Item 2, Article 35 of the Chinese Patent Law, the Patent Office has decided to examine the above application for patent for invention.

2. ☒ The applicant has requested that the filling date of
 March 6, 2003 at the KR Patent Office as the priority date,
 _____ at the _____ Patent Office as the priority date,
 _____ at the _____ Patent Office as the priority date,

3. ☐ The following amended documents submitted by the applicant cannot be accepted for not conforming to the provision of Article 33 of the Patent Law:
 ☐ The Chinese version of the attachment of the International Preliminary Examination Report.
 ☐ The Chinese version of the amended document submitted according to the provision of Rule 19 of the Patent Cooperation Treaty.
 ☐ The amended document submitted according to the provision of Rule 28 or Rule 41 of the Patent Cooperation Treaty.
 ☐ The amended document submitted according to the provision of Rule 51 of the Implementing Regulations of the Patent Law.
 Refer to the text of the notice for the specific reason of non-acceptance thereof.

4. ☐ The examination is conducted by directing at the Chinese version of the original International Application submitted.
 ☒ The examination is conducted by directing at the following application documents:
 ☒ **Description,**
 p. 1-10, the Chinese version of the original International Application Document submitted;
 p. _____, the Chinese version of the attachment of the International Preliminary Examination Report;
 p. _____, the amended document submitted according to the provision of Rule 28 or Rule 41 of the Patent Cooperation Treaty.

p. _____, the amended document submitted according to the provision of Rule 51 of the Implementing Regulations of the Patent Law.

☒ **Claims,**

14-38,41-49, the Chinese version of the original International Application Document submitted.

39-40, the Chinese version of the amended document submitted according to the provision of Rule 19 of the Patent Cooperation Treaty.

_____, the Chinese version of the attachment of the International Preliminary Report.

_____, the amended document submitted according to the provision of Rule 28 or Rule 41 of the Patent Cooperation Treaty.

_____, the amended document submitted according to the provision of Rule 51 of the Implementing Regulations of the Patent Law.

1-13, the amended document submitted on November 25, 2005.

☒ **Attached Drawings,**

p. 1-3, the Chinese version of the original International Application Document submitted.

p. _____, the Chinese version of the attachment of the International Preliminary Examination Report.

p. _____, the amended document submitted according to the provision of Rule 28 or Rule 41 of the Patent Cooperation Treaty.

p. _____, the amended document submitted according to the provision of Rule 51 of the Implementing Regulations of the Patent Law.

☒ This Notice cites the following Comparison Document(the number of which shall continue to be used in the subsequent examination proceedings):

No.	Number/Title of Document	Date of Publication (or the filing date of the conflicting Application)
1	CN1732663A	December 30, 2002 as the priority date December 5, 2003 as the filing date February 8, 2006 as the publication date
2	JP11018048A	1999-01-22
3		
4		

5. The conclusive opinion drawn from the examination:

☐ **As regards the Specification:**

☐ The contents of the application fall under the scope stipulated by Article 5 of the Patent Law for which no patent right should be granted.

☐ The specification does not conform with the provision of Item 3, Article 26 of the Patent Law.

☐ The drafting of the specification does not conform with the provision of Rule 18 of the Implementing Regulations.

☒ **As regards the Claims:**

☒ Claim 1-4,8-17,21,23-28,31 does not possess the novelty as stipulated in Item 2, Article 22 of the Patent Law.

☐ Claim _____ does not possess the inventiveness as stipulated in Item 3, Article 22 of the Patent

Law.

- ☐ Claim ____ does not possess the practical applicability as stipulated in Item 4, Article 22 of the Patent Law.
- ☐ Claim ____ falls under the scope of Article 25 of the Patent Law where no patent right is to be granted.
- ☒ Claim 22 does not conform with the provision of Item 4, Article 26 of the Patent Law.
- ☐ Claim ____ does not conform with the provision of Item 1, Article 31 of the Patent Law.
- ☐ Claim ____ does not conform with the provision of Item 1, Rule 13 of the Implementing Regulations of the Patent Law.
- ☐ Claim ____ does not conform with the provision of Rule 18 of the Implementing Regulations of the Patent Law.
- ☒ Claim 31,40-46 does not conform with the provisions of Rules 20 of the Implementing Regulations of the Patent Law.
- ☐ Claim ____ does not conform with the provisions of Rules 21 of the Implementing Regulations of the Patent Law.
- ☐ Claim ____ does not conform with the provisions of Rules 22 of the Implementing Regulations of the Patent Law.
- ☐ Claim ____ does not conform with the provisions of Rules 23 of the Implementing Regulations of the Patent Law.

Refer to the text of this Notice for the specific analyses of the conclusive opinion.

6. Based on the above conclusive opinion, the Examiner deems that:
 - ☐ The applicant shall amend the application documents in accordance with the requirements raised in the text of the Notice.
 - ☒ The applicant shall discuss in his observations reasons why this application for patent can be granted a patent right, and amend the portions indicated in the text of the Notice which have been deemed as not conforming with the provisions, or no patent right shall be granted.
 - ☐ There are no substantive contents in the application for patent that can be granted a patent right. If the applicant does not present reasons or the reasons presented are not sufficient, the application shall be rejected.
7. The applicant is asked to note the following items:
 - (1) According to the provision of Article 37 of the Patent Law, the applicant shall submit his observations within four months from the receipt of this Notice. Where, without justified reasons, the applicant does not respond at the expiration of said date, the application shall be deemed to have been withdrawn.
 - (2) The applicant shall amend his application according to Article 33 of the Patent Law. The amended documents shall be in duplicate, and the form, in conformity with the relevant provisions in the Examination Guide.
 - (3) The applicant and/or his agent can not, without first making an appointment, go to the Patent Office to have an interview with the Examiner.
 - (4) The observations and/or the amended documents shall be mailed or delivered to the Department of Receipt, the Patent Office of the State Intellectual Property Office. No documents shall possess legal effects if not mailed or delivered to the Department of Receipt.

8. The text of this Notice totals 6 page(s), and includes the following attachment(s):

☒ duplicate copy(ies) of cited comparison document(s), altogether 2 copy(ies) 31 pages.

☐

Examination Department: _____ Examiner(Seal): _____

057148 IPWCN
PCT171

TEXT OF THE FIRST OFFICE ACTION

The application No.2003801102765

The present application relates to a method for processing connection request of a disk player.

Upon examination, the concrete observations are provided as follows:

1. Claim 1 does not possess novelty.

Reference D1 (CN 1732663A) is an application for patent for invention filed by other person with the Chinese Patent Office, its filing date is December 5, 2003 which is after the priority date (March 6, 2003) of present application, but its priority date is December 30, 2002 which is before the priority date of the present application, its publication date is February 8, 2006 which is after the filling date of the present application. Therefore, Reference D1 is a "conflicting application" of the present application.

Reference D1 discloses user access control to a server content from an information carrier player, in which, the following technical features are concretely disclosed (See line 2 on page 4 to line 14 on page 5 of the Specification): "when the user uses the DVD player 101 (corresponding to "media player" in the present invention) and requests to connect to a remote server so as to download the additional content associated with WebDVD disc being played (corresponding to "while reproducing data recorded on an enhanced navigation medium" in the present invention), determining whether the remote server address for requesting the connection is in the list of server addresses associated with the current parental control level, the server list is loaded by the external particular database 107 on the information carrier 105 read by the player 101 (corresponding to "processing connection information recorded on the enhanced navigation medium to determine whether connection to the remote server is permitted" in the present invention); if yes (i.e., connection to the remote server is

permitted based on the connection information), connecting the player 101 with the network 102 (corresponding to “requesting connection to the remote server” in the present invention).

It can be seen that the technical solution claimed by claim 1 is different slightly only in the literal expression from the content disclosed by Reference D1, the technical solutions are the same in substance, both relate to the same technical field, solve the same technical problem, and bring about the same technical effect. Thus, Reference D1 and claim 1 can be regarded as identical invention.

Summing up, Reference D1 is a “conflicting application” of claim 1, so the technical solution of claim 1 does not possess the novelty specified by Item 2, Article 22 of the Chinese Patent Law.

2. Claims 2-4, 8-9, 12-16 do not possess the novelty.

Claims 2-4, 8-9, 12-16 make further definitions to claim 1, their additional features are also disclosed by Reference D1: “the player 101 reads the parental control level DVD_PCL from the information carrier 105, when the access is allowed, associate the server list (List_i) loaded on the external particular database 107 recorded in the information carrier 105 with the parental control level PCL_i (i.e., “a start-up file is read prior to reproduction of the data recorded on the enhanced navigation medium” in the present invention), so as to control the current user access network (see page 4, line 2 to page 5, line 14 of Reference D1); the controlling step is only for connecting the player 101 with the network 102 for the server address of the server list associated with the current parental control level, although Reference D1 does not disclose “the data recorded on the enhanced navigation medium comprises audio/video (A/V) data”, however, the parental control level in Reference D1 is based the Motion Picture Association of America (MPAA) rating system, i.e., what is needed to perform the parental control level control is regard to the contents of movies and video, so the above-said feature is implied by Reference D1 (page 3, lines 22-23); when the server list associated with the current parental control level includes a series of addresses that may be connected with the remote servers (i.e., “the connection

information comprises at least one connection information for connecting to the remote server" in the present invention); the server list (List_i) (i.e., "walled-garden file" in the present invention) loaded on the external particular database 107 (i.e., "start up file" in the present invention) recorded in the information carrier 105 is associated with the parental control level PCL_i, the list includes a series of addresses that may be connected with the remote servers (i.e., "the walled-garden file comprises position information about at least one server" in the present invention)". When claim 1 referred to does not possess the novelty, claims 2, 9, 11, 14-15 also do not possess the novelty.

The additional feature of claim 3 is implied by Reference D1 (See page 1, lines 11-16 of Reference D1), so claim 3 does not possess the novelty.

The additional features of claims 4, 8, 12 are disclosed by Reference D1 (See page 1, lines 11-16 of Reference D1), so claims 4, 8, 12 do not possess the novelty.

3. Claims 10, 17 do not possess the novelty.

The additional feature of claim 10 is "the connection information comprises a list of servers to which the media player may not connect", however, the above-said feature is only to substitute "the connection information comprises a list of servers to which the media player may connect" disclosed by Reference D1, such a substitution belongs to direction substitution of customary means. When claim 1 referred to does not possess the novelty, claim 10 also does not possess the novelty.

The additional feature of claim 17 is "the walled-garden file comprises information about at least one server to which the media player may not connect", however, the above-said feature is only to substitute "the walled-garden file comprises information about at least one server to which the media player may connect" disclosed by Reference D1, such a substitution belongs to direction substitution of customary means. When claim 15 referred to does not possess the novelty, claim 17 also does not possess the novelty.

4. Claim 21 does not possess novelty.

Claim 21 claims a method for processing a connection request of an enhanced navigation media player. Reference D1 (CN 1732663A, the filing date is December 5, 2003, the priority date is December 30, 2002, the publication date is February 8, 2006) discloses user access control to a server content from an information carrier player, in which, the following technical features are concretely disclosed (See line 2 on page 4 to line 14 on page 5 of the Specification): “ when the user uses the DVD player 101 (corresponding to “enhanced navigation media player” in the present invention) and requests to connect to a remote server (corresponding to “in response to a connection request for connecting the player to a remote server” in the present invention), determining whether the remote server address for requesting the connection is in the list of server addresses associated with the current parental control level(corresponding to “determining a current operating mode and connection limitation information” in the present invention), the server list is loaded by the external particular database 107 on the information carrier 105 read by the player 101; if yes, connecting the player 101 with the network 102 (corresponding to “submitting the request to the remote server to establish a connection, based on the current operating mode and the connection limitation information” in the present invention).

It can be seen that the technical solution claimed by claim 21 is different slightly only in the literal expression from the content disclosed by Reference D1, the technical solutions are the same in substance, both relate to the same technical field, solve the same technical problem, and bring about the same technical effect. Thus, Reference D1 is a “conflicting application” of claim 21, so the technical solution of claim 21 does not possess the novelty specified by Item 2, Article 22 of the Chinese Patent Law.

5. Claim 22 is not supported by the Specification.

Claim 22 makes a further definition to claim 21, its additional feature is “the connection request is submitted, if the current operating mode is an enhanced

navigation playback mode”, which is not recorded in the Specification, the person skilled in the art can not derive this feature by summarization directly and ambiguously from the content disclosed sufficiently in the Specification. Thus, claim 22 is not supported by the Specification, not conforming to the provision of Item 4, Article 26 of the Chinese Patent Law.

6-7. Claims 23-28 do not possess the novelty.

The additional features of claims 23-28 are disclosed by Reference D1, so claims 23-28 do not possess the novelty.

8. Claim 31 does not possess the novelty.

Claim 31 claims an enhanced navigation media player for processing data recorded on a recording medium. **Reference D2** (JP110018048A) discloses an information reproduction apparatus, in which the following features are concretely disclosed (See paragraphs [0021], [0025], [0032], [0033], Fig.4): “an information reproduction apparatus connected to an external apparatus for reproducing the information recording medium (corresponding to “enhanced navigation media player for processing data recorded on a recording medium” in the present invention), comprising processing means (corresponding to “audio/video (A/V) player engine” in the present invention) for decoding the information read from the recording medium to generate the video image data to be display; extracting means (corresponding to “enhance navigation (ENAV) engine” in the present invention) for extracting second information (corresponding to “start-up file” in the present invention). The second information is read before video information and stored in a storage device (corresponding to “first memory” in the present invention). The second information includes main web address information in the network connection (corresponding to “connection information about at least one server with additional contents” in the present invention) ”. Although Reference D2 does not disclose “if the recording medium is not an enhance navigation medium then A/V data recorded on the recording medium is reproduced by the A/V player engine”, however, the process means is used for processing the

reproduction of the general video information on the recording medium, so, if the medium to be loaded is not an enhance navigation medium, but a general recording medium on which the video information has been recorded, the processing means may reproduce the video information on the general recording medium. Therefore, this feature is implied by Reference D1.

It can be seen that the technical solution claimed by claim 31 is different slightly only in the literal expression from the content disclosed by Reference D2, the technical solutions are the same in substance, both relate to the same technical field, solve the same technical problem, and bring about the same technical effect. Thus, claim 31 does not possess the novelty specified by Item 2, Article 22 of the Chinese Patent Law.

9. The technical features in the characterizing portion of claims 40-46 are not consistent with the claimed subject matter.

Claims 40-46 claim a recording medium, belonging to product claims. The product claims shall be described in terms of structural features of the product per se. As a product claim that the subject matter is recording medium is concerned, its structural features are the physical structure of the recording medium per se, such as shape, size, material, component portions and so on. However, all the technical features in the technical solutions of pending claims 40-46 relate to audio/video data and the connection information, but they are not defined in terms of physical structural features of the recording medium. It causes the content of the claimed technical solution and the claimed subject matter are inconsistent, which causes the protection scope of this claim unclear, not conforming to the provision of Item 1, Rule 20 of the Implementing Regulations.

10. The protection scopes of Claims 31, 40 are unclear.

According to the relevant provision of Section 3.3, Chapter 2, Part II of the Guidelines for Examination, it shall be avoided as much as possible to use parentheses in the claims except the reference signs or chemical formulae or mathematical formulae. "Audio/video (A/V) player engine", "enhance navigation

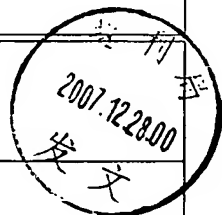
(ENAV) engine” are not drawing references, but use parentheses, which cause the protection scope unclear, not conforming to the provision of Item 1, Rule 20 of the Implementing Regulations.

The applicant shall make a response within the specified time limit, solve every problem indicated in the notice, make amendment to the application documents according to the actions, especially amending independent claims and corresponding dependent claims with reference to References D1 and D2 cited in the notice, and present the argument why the amended independent claim possess the novelty and inventiveness over References in the Observations. the Specification shall be amended adaptively based on the amended claims. The amendment to the application document shall be in conformity with the provision of Article 33 of the Chinese Patent Law and none may go beyond the scope of the disclosure contained in the original Specification and Claims.



中华人民共和国国家知识产权局

200233 上海桂平路 435 号 上海专利商标事务有限公司 钱慰民	发文日
申请号: 2003801102765	
申请人: LG 电子株式会社	
发明名称: 用于处理盘播放器的连接请求的方法	



第一次审查意见通知书

(进入国家阶段的 PCT 申请)

1. ☒ 应申请人提出的实审请求, 根据专利法第 35 条第 1 款的规定, 国家知识产权局对上述发明专利申请进行实质审查。

☐ 根据专利法第 35 条第 2 款的规定, 国家知识产权局专利局决定自行对上述发明专利申请进行审查。

2. ☒ 申请人要求以其在:

KR 专利局的申请日 2003 年 03 月 06 日为优先权日,
专利局的申请日 年 月 日为优先权日,
专利局的申请日 年 月 日为优先权日。

3. ☐ 申请人于 年 月 日和 年 月 日以及 年 月 日提交了修改文件。
经审查, 申请人于 年 月 日提交的 不符合专利法实施细则第 51 条第 1 款的规定。

☐

4. ☐ 审查是针对原始提交的国际申请的中文译文进行的。

☒ 审查是针对下述申请文件进行的:

☒ 说明书 第 1-10 页, 按照进入中国国家阶段时提交的国际申请文件的中文文本;
第 页, 按照专利性国际初步报告附件的中文文本;
第 页, 按照依据专利合作条约第 28 条或 41 条规定所提交的修改文件;
第 页, 按照依据专利法实施细则第 51 条第 1 款规定所提交的修改文件;
第 页, 按照 年 月 日所提交的修改文件。

☐

☒ 权利要求 第 14-38, 41-49 项, 按照进入中国国家阶段时提交的国际申请文件的中文文本;
第 39-40 项, 按照依据专利合作条约第 19 条规定所提交的修改文件的中文文本;
第 项, 按照专利性国际初步报告附件的中文文本;
第 项, 按照依据专利合作条约第 28 条或 41 条规定所提交的修改文件;
第 项, 按照依据专利法实施细则第 51 条第 1 款规定所提交的修改文件;
第 1-13 项, 按照 2005 年 11 月 25 日所提交的修改文件。

☐

☒ 附图 第 1-3 页, 按照进入中国国家阶段时提交的国际申请文件的中文文本;
第 页, 按照专利性国际初步报告附件的中文文本;
第 页, 按照依据专利合作条约第 28 条或 41 条规定所提交的修改文件;
第 页, 按照依据专利法实施细则第 51 条第 1 款规定所提交的修改文件;
第 页, 按照 年 月 日所提交的修改文件。





☒ 本通知书引用下述对比文件(其编号在今后的审查过程中继续沿用):

编号

文件号或名称

公开日期(或抵触申请的申请日)

1

CN1732663A

优先权日为 2002 年 12 月 30 日, 申请日为 2003 年

12 月 5 日, 公开日为 2006 年 2 月 8 日

1999-01-22

2

JPI.1018048A

5. 审查的结论性意见:

☐ 关于说明书:

☐ 申请的内容属于专利法第 5 条规定的不予授予专利权的范围。

☐ 说明书不符合专利法第 26 条第 3 款的规定。

☐ 说明书不符合专利法第 33 条的规定。

☐ 说明书的撰写不符合专利法实施细则第 18 条的规定。

☒ 关于权利要求书:

☒ 权利要求 1-4, 8-17, 21, 23-28, 31 不具备专利法第 22 条第 2 款规定的新颖性。

☐ 权利要求 不具备专利法第 22 条第 3 款规定的创造性。

☐ 权利要求 不具备专利法第 22 条第 4 款规定的实用性。

☐ 权利要求 属于专利法第 25 条规定的不予授予专利权的范围。

☒ 权利要求 22 不符合专利法第 26 条第 4 款的规定。

☐ 权利要求 不符合专利法第 31 条第 1 款的规定。

☐ 权利要求 不符合专利法第 33 条的规定。

☐ 权利要求 不符合专利法实施细则第 2 条第 1 款的规定。

☐ 权利要求 不符合专利法实施细则第 13 条第 1 款的规定。

☒ 权利要求 31, 40-46 不符合专利法实施细则第 20 条的规定。

☐ 权利要求 不符合专利法实施细则第 21 条的规定。

☐ 权利要求 不符合专利法实施细则第 22 条的规定。

☐ 权利要求 不符合专利法实施细则第 23 条的规定。

☐ 分案的申请不符合专利法实施细则第 43 条第 1 款的规定。

上述结论性意见的具体分析见本通知书的正文部分。

6. 基于上述结论性意见, 审查员认为:

☐ 申请人应按照通知书正文部分提出的要求, 对申请文件进行修改。

☒ 申请人应在意见陈述书中论述其专利申请可以被授予专利权的理由, 并对通知书正文部分中指出的不符合规定之处进行修改, 否则将不能授予专利权。

☐ 专利申请中没有可以被授予专利权的实质性内容, 如果申请人没有陈述理由或者陈述理由不充分, 其申请将被驳回。

☐

7. 申请人应注意下述事项:

(1) 根据专利法第 37 条的规定, 申请人应在收到本通知书之日起的肆个月内陈述意见, 如果申请人无正当理由逾期不答复, 其申请将被视为撤回。

(2) 申请人对其申请的修改应符合专利法第 33 条的规定, 修改文本应一式两份, 其格式应符合审查指南的有关规定。

(3) 申请人的意见陈述书和 / 或修改文本应邮寄或递交国家知识产权局专利局受理处, 凡未邮寄或递交给受理处的文件不具备法律效力。

(4) 未经预约, 申请人和 / 或代理人不得前来国家知识产权局专利局与审查员举行会晤。

8. 本通知书正文部分共有 6 页, 并附有下列附件:

☒ 引用的对比文件的复印件共 2 份 31 页。

☐



审查员: 刘羽楠(3641)

2007 年 11 月 26 日

审查部门

通信审查部



第一次审查意见通知书正文

申请号：2003801102765

本申请涉及一种用于处理盘播放器的连接请求的方法，经审查，现提出如下的审查意见。

1、权利要求1不具备新颖性。

对比文件1（CN1732663A）（以下称为D1）是一件由他人（皇家飞利浦电子股份有限公司）向中国专利局提出的专利申请，其申请日是2003年12月5日，在本申请的优先权日2003年3月6日之后，但是其要求的优先权日为2002年12月30日，在本申请的优先权日之前。经审查员核实，该对比文件的优先权成立，即该对比文件申请在先，此外，该对比文件的公开日为2006年2月8日，在本申请的申请日之后。

另外，D1公开了一种从信息载体播放器对服务器内容的用户访问控制，并具体公开了以下技术特征（参见D1说明书第4页第2行到第5页第14行）：在用户使用DVD播放器101（即本发明中的媒体播放器），并请求连接到远程服务器以下载与正在播放的WebDVD盘相关联的附加内容时（即本发明中的同时重现记录在增强式导航媒体上的数据），判断请求连接的远程服务器地址是否在当前双亲控制级别关联的服务器列表中，该服务器列表由播放器101读取的信息载体上的外部特定数据库107加载（即本发明中的处理记录在增强式导航媒体上的连接信息，来确定是否允许与远程服务器的连接），如果在（即本发明中的根据连接信息允许与远程服务器的连接），则连接播放器101和网络102（即本发明中的请求与远程服务器的连接）。该权利要求所要求保护的技术方案与D1所公开的内容相比，仅仅是文字表达方式上略有差别，技术方案实质上相同，且两者属于相同的技术领域，解决相同的技术问题，都是控制媒体播放器对网络的访问，并能产生相同的控制网络访问的技术效果，因此，D1与权利要求1属于同样的发明。

综上所述，对比文件1是由他人在本申请的申请日前向专利局提出并且在申请日之后公布的同样的发明，构成了本申请权利要求1的“抵触申请”，从而使该权利要求所要求保护的技术方案不具备专利法第二十二条第二款规定的新颖性。

2、权利要求2-4、8-9、11-16不具备新颖性。

从属权利要求2、9、11、14、15对权利要求1作进一步限定，它们的附加技术特征也都被D1公开：播放器101读取信息载体105上的双亲控制级别DVD_PCL，允许访问

时，将从记录在信息载体105上的外部特定数据库107（即本发明中的启动文件的一部分）加载的服务器列表List_i，与双亲控制级别PCL_i关联（即本发明中的启动文件是在重现记录在增强式导航媒体上的数据之前读取的），用来控制当前用户访问网络（参见D1说明书第4页第2行到第5页第14行）；控制步骤仅为当前双亲控制级别关联的服务器列表的服务器地址连接播放器101和网络102（即本发明中的所述连接信息包括媒体播放器可连接的服务器列表）（参见D1说明书第5页第10—14行）；D1虽未明确说明“所述记录在增强式导航媒体上的数据包括音频/视频A/V数据”，但是D1中的双亲控制级别是基于美国电影协会的等级系统，即需要进行双亲级别控制的是关于影视作品的内容，因此D1隐含公开了该技术特征（参见D1说明书第3页第22—23行）；当前双亲控制级别关联的服务器列表包括了可与远程服务器连接的一系列地址（即本发明中的连接信息包括用于与远程服务器连接的至少一个连接信息）；从记录在信息载体105上的外部特定数据库107（即本发明中的启动文件）加载服务器列表List_i（即本发明中的walled-garden文件），与双亲控制级别PCL_i关联，该列表包括了可与远程服务器连接的一系列地址（即本发明中的walled-garden文件包括有关至少一个服务器的位置信息）。因此在其引用的权利要求1不具备新颖性的情况下，从属权利要求2、9、11、14—15所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

从属权利要求3对权利要求2作进一步限定，D1虽未明确说明“启动文件包括与重现记录在增强式导航媒体上的数据之前要载入的附加内容列表相关联的信息”，但是由于D1中的WebDVD盘具有原本的导航菜单（即本发明中的附加内容列表，也就是启动文件的一部分）因此该导航菜单必然在重现数据内容之前被载入，因此D1隐含公开了该技术特征（参见D1说明书第1页第11—16行）；因此在其引用的权利要求2不具备新颖性的情况下，从属权利要求3所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

从属权利要求4、8对权利要求2作进一步限定，其附加技术特征也都被D1公开：记录在信息载体105上的外部特定数据库107包括与双亲控制级别PCL_i（即本发明中的重现记录在增强式导航媒体上的数据的权限）关联的服务器列表（参见D1说明书第4页第2行到第5页第14行）；WebDVD盘的导航菜单与处理启动文件之后要播放的数据内容相关联（即本发明中的启动文件包括与在处理启动文件之后要处理的文件相关联的信息）（参见D1说明书第1页第11—16行）。因此在其引用的权利要求2不具备新颖性的情况下，从属权利要求3—4、8所要求保护的技术方案也不具备专利法第二十二

条第二款所规定的新颖性。

从属权利要求12对权利要求11作进一步限定，从属权利要求13对权利要求12作进一步限定，从属权利要求16对权利要求15作进一步限定，其附加技术特征也都被D1公开：WebDVD盘具有原本的导航菜单（即本发明中的记录在增强式导航媒体上的数据包括与A/V数据相关联的附加内容）（参见D1说明书第1页第11—16行）；虽然D1未明确说明“所述A/V数据和附加内容同步重现”，但是D1中的WebDVD导航菜单必然同音视频数据同步播放来进行播放导航控制，因此D1隐含公开了该技术特征；与当前双亲控制级别关联的服务器列表包括了可与远程服务器连接的一系列地址信息（即本发明中的walled-garden文件包括有关有关媒体播放器可连接的至少一个服务器的信息），以控制访问包含附加内容的特定Web站点（即本发明中的以检索与记录在增强式导航媒体的数据相关联的附加内容）。因此在其引用的权利要求11不具备新颖性的情况下，从属权利要求12所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。同理，权利要求13、16所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

3、权利要求10、17不具备新颖性。

从属权利要求10对权利要求1作进一步限定，其限定部分的附加技术特征是“所述连接信息包括媒体播放器不可连接的服务器列表”，但上述附加技术特征只是代替了D1所公开的“所述连接信息包括媒体播放器可连接的服务器列表”，对于所属技术领域的技术人员来说，这种替换属于惯用手段的直接置换，因此在其所引用的权利要求1由于不具备新颖性而不能被接受时，该权利要求所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

从属权利要求17对权利要求15作进一步限定，其限定部分的附加技术特征是“所述walled-garden文件包括有关有关媒体播放器不可连接的至少一个服务器的信息”，但上述附加技术特征只是代替了D1所公开的“所述walled-garden文件包括有关有关媒体播放器可连接的至少一个服务器的信息”，对于所属技术领域的技术人员来说，这种替换属于惯用手段的直接置换，因此在其所引用的权利要求15由于不具备新颖性而不能被接受时，该权利要求所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

4、权利要求21不具备新颖性。

权利要求21请求保护一种用于处理增强式导航媒体播放器的连接请求的方法。对比文件1（CN1732663A，优先权日为2002年12月30日，申请日为2003年12月5日，公开

日为2006年2月8日，申请人为皇家飞利浦电子股份有限公司）（以下称为D1）公开了一种从信息载体播放器对服务器内容的用户访问控制，并具体公开了以下技术特征（参见D1说明书第4页第2行到第5页第14行）：在用户使用可连接网络的DVD播放器101（即本发明中的增强式导航媒体播放器），并请求连接到远程服务器时（即本发明中的响应于对连接播放器和远程服务器的连接请求），判断请求连接的远程服务器地址是否在当前双亲控制级别关联的服务器列表中（即本发明中的确定当前的操作模式和连接限制信息），该服务器列表由播放器101读取的信息载体上的外部特定数据库107加载，如果在，则连接播放器101和网络102（即本发明中的基于当前操作模式和连接限制信息来向远程服务器提交建立连接的请求）。该权利要求所要求保护的技术方案与D1所公开的内容相比，仅仅是文字表达方式上略有差别，技术方案实质上相同，且两者属于相同的技术领域，解决相同的技术问题，并能产生相同的技术效果，因此D1构成了本申请权利要求1的抵触申请，从而该权利要求不具备专利法第二十二条第二款规定的新颖性。

5、权利要求22没有以说明书为依据。

从属权利要求22对独立权利要求21作进一步限定，其附加技术特征为“如果当前操作模式是增强式导航回放模式，则提交连接请求”，在说明书中没有记载，并且所属技术领域的技术人员也无法从说明书充分公开的内容中直接得到或毫无疑义地概括得出该技术方案，因此该权利要求没有以说明书为依据，不符合专利法第二十六条第四款的规定。

6、权利要求23不具备新颖性。

从属权利要求23对权利要求21作进一步限定，其附加技术特征也被D1公开（参见D1说明书第4页第2行到第5页第14行）：判断请求连接的远程服务器地址是否在当前双亲控制级别关联的服务器列表中，如果在（即本发明中的根据连接信息提供对要联系的远程服务器的允许），则连接播放器101和网络102（即本发明中的提交连接请求）。因此在其引用的权利要求21不具备新颖性的情况下，从属权利要求23所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

7、权利要求24—28不具备新颖性。

从属权利要求24对权利要求21作进一步限定，其附加技术特征被D1公开：当可连接网络的DVD播放器101在播放链接了特定Web站点的WebDVD时（即本发明中的当前操作模式是交互式盘回放模式），如果请求连接的服务器地址在当前双亲控制级别关联的服务器列表中（即本发明中的连接限制信息表示可联系远程服务器），则连接播放

器101与网络103（即本发明中的提交连接请求）（参见D1说明书第4页第2行到第5页第14行）；从属权利要求25对权利要求21作进一步限定，从属权利要求26—28对权利要求25作进一步限定，它们的附加技术特征也都被D1公开（详述请参见权利要求2—4的评述），因此在其引用的权利要求21不具备新颖性的情况下，从属权利要求24—25所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。同理，权利要求26—28也不具备专利法第二十二条第二款所规定的新颖性。

8、权利要求31不具备新颖性。

权利要求31请求保护一种用于处理记录在记录媒体上的数据的增强式导航媒体播放器。对比文件2（JP11018048A）（以下称为D2）公开了一种信息再现设备，并具体公开了以下技术特征（参见D2说明书第[0021][0025][0032][0033]段，图4）：一种连接着外部设备的信息再现设备，用于再现信息记录媒体（即本发明中的用于处理记录在记录媒体上的数据的增强式导航媒体播放器），包括：处理装置（即本发明中的音频/视频(A/V)播放引擎），用于从记录媒体的读出信息中解码生成要显示的视频图象数据；提取装置（即本发明中的增强式导航(ENAV)引擎），用来提取第二信息（即本发明中的启动文件）。第二信息在视频信息之前被读取，并被存入存储装置（即本发明中的第一存储器），该第二信息包含了网络连接中的主页地址信息（即本发明中的有关具有附加内容的至少一个服务器的连接信息）。虽然D2未明确说明“如果记录媒体不是增强式导航媒体，则记录在记录媒体上的A/V数据由A/V播放引擎来重现”，但是由于D2中的处理装置，是用于处理记录媒体上的普通视频信息的再现，所以如果装入的不是增强式导航媒体，而是只记录了视频信息的普通记录媒体，该处理装置即可再现该普通记录媒体上的视频信息，因此D2隐含公开了该技术特征。由此可见，该权利要求所要求保护的技术方案与D2所公开的内容相比，所不同的仅仅是文字表达方式上略有差别，其技术方案实质上是相同的，且两者属于相同的技术领域，解决相同的技术问题，并能产生相同的技术效果，因此该权利要求所要求保护的技术方案不具备专利法第二十二条第二款规定的新颖性。

4、权利要求40—46限定部分的技术特征与所要求保护的主体不相符合。

权利要求40—46请求保护一种记录媒体，属于产品权利要求，应该用该产品本身所具有的结构特征对其进行具体限定，而对于主题为记录媒体的产品权利要求而言，其结构特征在于记录媒体本身的物理结构，比如形状、大小以及构成材料、组成部分等，但是当前权利要求限定的技术方案中的所有技术特征都是对于该记录媒体上的音频视/频数据和连接信息的限定，而不是对该记录媒体本身物理结构的限定，致使上

述权利要求技术方案的内容与其要求保护的主体不相符合，从而导致上述权利要求的保护范围不清楚，不符合专利法实施细则第20条第1款的规定。

5、权利要求31、40保护范围不清楚。

除附图标记或化学式及数学式中使用的括号外，权利要求中应尽量避免使用括号（《审查指南》第二章第3.2.2节），权利要求31、40中的“音频/视频(A/V)播放引擎”和“增强式导航(ENAV)引擎”中的A/V和ENAV不是附图标记，却使用了括号，且在接下来的描述中直接沿用括号中的名称，造成权利要求保护范围不清楚，不符合专利法第二十条第一款的规定。

申请人应在本通知书指定的答复期限内作出答复，对本通知书中提出的所有问题逐一详细地作出说明，并根据本通知书的意见对专利申请文件作出修改，尤其是应根据本通知书中引用的对比文件修改独立权利要求以及相应的从属权利要求，并在意见陈述书中论述新修改的独立权利要求相对于本通知书中引用的对比文件以及原说明书中提到的申请日前的现有技术具有新颖性和创造性的理由。此外，说明书应根据修改后的权利要求书作适应性修改。申请人对申请文件的修改应当符合专利法第三十三条的规定，不得超出原说明书和权利要求书的记载范围。

审查员：刘羽楠

代码：3641